

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

3:08cv219  
(3:04cr223)

MADISON DUANE McCRAE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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ORDER

**THIS MATTER** is before this Court on the government's Motion for Extension of Time filed on July 25, 2008. (Doc. No. 13) and Petitioner's Motion for an Evidentiary Hearing (Doc. No. 12).

For the reasons stated in the government's motion, the Court finds that the government has established good cause for an additional extension of time to file a response to Petitioner's allegations.

The Court previously held that was without sufficient information to warrant granting an evidentiary hearing. (Doc. No. 10). Petitioner's new motion (Doc. No. 12) does not cause the Court to reconsider its previous ruling.

**IT IS, THEREFORE, ORDERED** that:

1. The government's Motion for an Extension of Time (Doc. No. 13) is GRANTED, and the government shall file its response within thirty days from the entry of this Order; and

2. Petitioner's Motion for an Evidentiary Hearing (Doc. No. 12) is DENIED.

Signed: August 1, 2008

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

